

Office of Tribal Justice, shall award grants to non-profit entities, as defined by section 501(c)(3) of title 26, which provide legal assistance services for Indian tribes, members of Indian tribes, or tribal justice systems pursuant to Federal poverty guidelines that submit an application to the Attorney General in such form and manner as the Attorney General may prescribe for the provision of criminal legal assistance to members of Indian tribes and tribal justice systems, and/or other purposes consistent with this chapter. Funding under this subchapter may apply to programs, procedures, or proceedings involving adult criminal actions, juvenile delinquency actions, and/or guardian-ad-litem appointments arising out of criminal or delinquency acts.

(Pub. L. 106-559, title I, §103, Dec. 21, 2000, 114 Stat. 2780.)

§ 3664. No offset

No Federal agency shall offset funds made available pursuant to this chapter for Indian tribal court membership organizations or Indian legal services organizations against other funds otherwise available for use in connection with technical or legal assistance to tribal justice systems or members of Indian tribes.

(Pub. L. 106-559, title I, §104, Dec. 21, 2000, 114 Stat. 2781.)

§ 3665. Tribal authority

Nothing in this chapter shall be construed to—

- (1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;
- (2) diminish in any way the authority of tribal governments to appoint personnel;
- (3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;
- (4) alter in any way any tribal traditional dispute resolution fora;
- (5) imply that any tribal justice system is an instrumentality of the United States; or
- (6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

(Pub. L. 106-559, title I, §105, Dec. 21, 2000, 114 Stat. 2781.)

§ 3666. Authorization of appropriations

For purposes of carrying out the activities under this subchapter, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

(Pub. L. 106-559, title I, §106, Dec. 21, 2000, 114 Stat. 2781.)

SUBCHAPTER II—INDIAN TRIBAL COURTS

§ 3681. Grants

(a) In general

The Attorney General may award grants and provide technical assistance to Indian tribes to

enable such tribes to carry out programs to support—

- (1) the development, enhancement, and continuing operation of tribal justice systems; and
- (2) the development and implementation of—
 - (A) tribal codes and sentencing guidelines;
 - (B) inter-tribal courts and appellate systems;
 - (C) tribal probation services, diversion programs, and alternative sentencing provisions;
 - (D) tribal juvenile services and multi-disciplinary protocols for child physical and sexual abuse; and
 - (E) traditional tribal judicial practices, traditional tribal justice systems, and traditional methods of dispute resolution.

(b) Consultation

In carrying out this section, the Attorney General may consult with the Office of Tribal Justice and any other appropriate tribal or Federal officials.

(c) Regulations

The Attorney General may promulgate such regulations and guidelines as may be necessary to carry out this subchapter.

(d) Authorization of appropriations

For purposes of carrying out the activities under this section, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

(Pub. L. 106-559, title II, §201, Dec. 21, 2000, 114 Stat. 2781.)

CHAPTER 39—AMERICAN INDIAN AGRICULTURAL RESOURCE MANAGEMENT

Sec.	
3701.	Findings.
3702.	Purposes.
3703.	Definitions.

SUBCHAPTER I—RANGELAND AND FARMLAND ENHANCEMENT

3711. Management of Indian rangelands and farmlands.
 - (a) Management objectives.
 - (b) Indian agricultural resource management planning program.
3712. Indian participation in land management activities.
 - (a) Tribal recognition.
 - (b) Tribal laws.
 - (c) Waiver of regulations.
 - (d) Sovereign immunity.
3713. Indian agricultural lands trespass.
 - (a) Civil penalties; regulations.
 - (b) Treatment of proceeds.
 - (c) Concurrent jurisdiction.
3714. Assessment of Indian agricultural management programs.
 - (a) Assessment.
 - (b) Purposes.
 - (c) Implementation.
3715. Leasing of Indian agricultural lands.
 - (a) Authority of Secretary.
 - (b) Authority of tribe.
 - (c) Rights of individual landowners.

SUBCHAPTER II—EDUCATION IN AGRICULTURE MANAGEMENT

3731. Indian and Alaska Native agriculture management education assistance programs.

- Sec.
- (a) Agricultural resources intern program.
 - (b) Cooperative education program.
 - (c) Scholarship program.
 - (d) Educational outreach.
 - (e) Adequacy of programs.
3732. Postgraduation recruitment, education and training programs.
- (a) Assumption of loans.
 - (b) Postgraduate intergovernmental internships.
 - (c) Continuing education and training.
3733. Cooperative agreement between Department of the Interior and Indian tribes.
- (a) Cooperative agreements.
 - (b) Supervision.
 - (c) Savings clause.
3734. Obligated service; breach of contract.
- (a) Obligated service.
 - (b) Breach of contract; repayment.

SUBCHAPTER III—GENERAL PROVISIONS

3741. Regulations.
3742. Trust responsibility.
3743. Severability.
3744. Federal, State and local authority.
- (a) Disclaimer.
 - (b) Duplication of services.
3745. Authorization of appropriations.
- (a) General authorization.
 - (b) Funding source.
3746. Tribal immunity.

§ 3701. Findings

The Congress finds and declares that—

- (1) the United States and Indian tribes have a government to government relationship;
- (2) the United States has a trust responsibility to protect, conserve, utilize, and manage Indian agricultural lands consistent with its fiduciary obligation and its unique relationship with Indian tribes;
- (3) Indian agricultural lands are renewable and manageable natural resources which are vital to the economic, social, and cultural welfare of many Indian tribes and their members; and
- (4) development and management of Indian agricultural lands in accordance with integrated resource management plans will ensure proper management of Indian agricultural lands and will produce increased economic returns, enhance Indian self-determination, promote employment opportunities, and improve the social and economic well-being of Indian and surrounding communities.

(Pub. L. 103-177, §2, Dec. 3, 1993, 107 Stat. 2011.)

SHORT TITLE

Section 1 of Pub. L. 103-177 provided that: "This Act [enacting this chapter] may be cited as the 'American Indian Agricultural Resource Management Act'."

§ 3702. Purposes

The purposes of this chapter are to—

- (1) carry out the trust responsibility of the United States and promote the self-determination of Indian tribes by providing for the management of Indian agricultural lands and related renewable resources in a manner consistent with identified tribal goals and priorities for conservation, multiple use, and sustained yield;

(2) authorize the Secretary to take part in the management of Indian agricultural lands, with the participation of the beneficial owners of the land, in a manner consistent with the trust responsibility of the Secretary and with the objectives of the beneficial owners;

(3) provide for the development and management of Indian agricultural lands; and

(4) increase the educational and training opportunities available to Indian people and communities in the practical, technical, and professional aspects of agriculture and land management to improve the expertise and technical abilities of Indian tribes and their members.

(Pub. L. 103-177, §3, Dec. 3, 1993, 107 Stat. 2011.)

§ 3703. Definitions

For the purposes of this chapter:

(1) The term "Indian agricultural lands" means Indian land, including farmland and rangeland, but excluding Indian forest land, that is used for the production of agricultural products, and Indian lands occupied by industries that support the agricultural community, regardless of whether a formal inspection and land classification has been conducted.

(2) The term "agricultural product" means—

- (A) crops grown under cultivated conditions whether used for personal consumption, subsistence, or sold for commercial benefit;

- (B) domestic livestock, including cattle, sheep, goats, horses, buffalo, swine, reindeer, fowl, or other animal specifically raised and utilized for food or fiber or as beast of burden;

- (C) forage, hay, fodder, feed grains, crop residues and other items grown or harvested for the feeding and care of livestock, sold for commercial profit, or used for other purposes; and

- (D) other marketable or traditionally used materials authorized for removal from Indian agricultural lands.

(3) The term "agricultural resource" means—

- (A) all the primary means of production, including the land, soil, water, air, plant communities, watersheds, human resources, natural and physical attributes, and man-made developments, which together comprise the agricultural community; and

- (B) all the benefits derived from Indian agricultural lands and enterprises, including cultivated and gathered food products, fibers, horticultural products, dyes, cultural or religious condiments, medicines, water, aesthetic, and other traditional values of agriculture.

(4) The term "agricultural resource management plan" means a plan developed under section 3711(b) of this title.

(5) The term "Bureau" means the Bureau of Indian Affairs of the Department of the Interior.

(6) The term "farmland" means Indian land excluding Indian forest land that is used for production of food, feed, fiber, forage and seed